AMENDMENTS TO THE DRAWING FIGURES

Please replace drawing sheets nos. 1 and 2 with the substitute sheets enclosed herewith.

REMARKS

Figures 1 and 2 have been amended to include a legend, "Prior Art."

Amendments to claims 14 and 28 are for the purpose of clarifying what Applicant regards

as the invention. No new matter has been added. ·

I.   Allowed claims

Applicant wishes to thank the Examiner for allowing claims 1-5 and 7-13.

II.   · Objection to the drawings

Figures 1 and 2 stand objected to. These figures have been amended to remove the alleged

deficiency pointed out in the Office Action.

III.   Claim rejections under 35 U.S.C. § 102

Claims 14, 16-20, 22, 28-36, and 43-45 stand rejected under 35 U.S.C. § 102(e) as being

anticipated by U.S. 2001/0055274 (Hegge). Claim 28 stands rejected under 35 U.S.C. § 102(e) as

being anticipated by U.S. 2002/0067726 (Ganesh). Claims 28, 31, 33, 34, 42, and 43 stand rejected

under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,889,245 (Taylor). Applicant

respectfully notes that in order to sustain a claim rejection under § 102, each of the claim elements

must be found, either expressly or inherently, in the cited reference.

Claim 14 has been amended and recites *externally obtaining at least a portion of data*

packets transmitted from said network switch, wherein each of said data packets comprises network

PA/52183927.1   12

address information, extracting said network address information from said obtained portion of data

packets, and determining port information of said network address information in response to said

network address information extraction (Emphasis Added). Claim 28 has been amended and recites

similar limitations. As such, amended claims 14 and 28 require that the extraction of network

address information, and determination of port information, be performed after the portion of data

packets is transmitted from a switch (e.g., be performed outside the switch).

Hegge

Applicant respectfully submits that claims 14 and 28, as amended, are allowable over Hegge

because Hegge does not disclose or suggest the above limitations. Rather, Hegge discloses a switch

10 that is configured to identify data flows, determine destination, and switch packets to appropriate

queues 20 (paragraph 14, and figure 1). Notably, in Hegge, the extraction of address information

and determination of port information are determined in switch 10 (i.e., before the packet is

transmitted from the switch 10). As such, Hegge does not disclose or suggest extracting network

address information from a portion of data packets, and determining port information of the network

address information in response to the network address information extraction, wherein the portion

of data packets are *externally obtained from a network switch that has transmitted the portion of

data packets*. For at least the foregoing reasons, claims 14 and 28, and their respective dependent

claims, are believed allowable over Hegge.

Ganesh

Applicant respectfully submits that claim 28, as amended, is allowable over Ganesh because

Ganesh also does not disclose or suggest the above limitations. Rather, Ganesh discloses a switch 50

having a packet analysis and key extraction logic 64, and a forwarding decision logic 72 (paragraphs

52-57; figure 3). To the extent that the Examiner considers logics 64, 72 as being configured to extract address information and to determine port information, Applicant respectfully notes that these are performed in switch 50 (i.e., before the packet is transmitted from the switch 50). As such, Ganesh does not disclose or suggest extracting network address information from a portion of data packets, and determining port information of the network address information in response to the network address information extraction, wherein the portion of data packets are *externally obtained from a network switch that has transmitted the portion of data packets*. For at least the foregoing reasons, claim 28 and its dependent claims are believed allowable over Ganesh.

Taylor

Applicant further respectfully submits that claim 28, as amended, is allowable over Taylor because Taylor also does not disclose or suggest the above limitations. Rather, Taylor discloses a circuit 214 having a controller 502 and a cross bar switch interface 506, wherein the circuit 214 is configured to pass data to a cross bar switch 220 (figure 5). To the extent that the Examiner considers either the controller 502 and/or the interface 506 as being configured to perform extraction of address information and determination of port information, Applicant respectfully notes that these are performed before the packet is transmitted to the switch 220, and therefore, are not performed after the packet is *transmitted from* the switch 220. As such, Taylor does not disclose or suggest extracting network address information from a portion of data packets, and determining port information of the network address information in response to the network address information extraction, wherein the portion of data packets are *externally obtained from a network switch that has transmitted the portion of data packets*. For at least the foregoing reasons, claim 28 and its dependent claims are believed allowable over Taylor.

CONCLUSION

Based on the foregoing, all the pending claims are believed to be in condition for allowance.

If the Examiner has any questions or comments regarding this amendment, please contact the

undersigned at the number listed below.

The Commissioner is authorized to charge and fees due in connection with the filing of this

document to Bingham McCutchen's Deposit Account No. **50-2518**, referencing billing number

2021906-7001772001. The Commissioner is also authorized to credit any overpayment or to charge

any underpayment to Bingham McCutchen's Deposit Account No. **50-2518**, referencing billing

number 2021906-7001772001.

DATE: June ___9___, 2006   Respectfully submitted,

                                                  By: _____
                                                       Gerald Chan
                                                       Registration No. 51,541

Bingham McCutchen LLP
Three Embarcadero Center, Suite 1800
San Francisco, California 94111
Telephone: (650) 849-4960
Facsimile: (650) 849-4800